

H. B. No. 1458, To Committee on Water and Conservation.

Welcome and Congratulatory Resolutions

S. R. No. 876—By Senator Sherman: Extending congratulations to Claude High School Girls Basketball team, Class A State Championship.

No Quorum Present

The President announced there was not a quorum of the Senate present.

Adjournment

On motion of Senator Aikin the Senate at 10:06 o'clock a.m. adjourned until 11:00 o'clock a.m. Monday, April 5, 1971.

FIFTIETH DAY

(Monday, April 5, 1971)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 1, 1971, was dispensed with and the Journal was approved.

Leave of Absence

Senator Connally was granted leave of absence for today on account of im-

portant business on motion of Senator Blanchard.

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 223.

Senate Resolution 880

Senator Herring offered the following resolution:

Whereas, The Senate is honored today by the presence of an outstanding young lady, Miss Connie Renee Schneider; and

Whereas, Connie is the daughter of Mrs. Wandine Schneider, and the favorite granddaughter of Mr. and Mrs. Alfred H. Patschke, 1707 Adams Street, Taylor, Texas; and

Whereas, Connie is a Fourth Grade Student at Twelfth Street Elementary in Taylor, and has received the Good Citizenship Award for good conduct and her ability as a leader; and

Whereas, Her enthusiasm for politics as encouraged by her Aunt, Mrs. Loretta Patschke, Administrative Secretary, has brought her to the Senate to learn about the legislative process as an Honorary Girl Page of the 62nd Legislature; now, therefore, be it

Resolved, By the Senate of Texas, that Connie Renee Schneider is hereby designated as Honorary Girl Page of the Senate of the 62nd Legislature.

McKool
Herring

The resolution was read and was adopted.

Senate Resolution 881

Senator Hightower offered the following resolution:

Whereas, The Senate of Texas is honored today by the presence of Miss Lindsey Elliott, a 7th Grader from O'Henry Junior High School in Austin; and

Whereas, During the last interim Lindsey launched a letter-writing campaign to the members of the Senate pleading for recognition of the need to hire young ladies to work as Senate Pages; and

Whereas, Many members of the Senate took notice of the letter from Lindsey and have taken a positive stand in favor of having girls perform this important function; and

Whereas, All Junior High School girls in this State owe a debt of thanks to Lindsey for her campaign to gain status for them in breaking the tradition that had been dominated by boys for many years; now, therefore, be it

Resolved, by the Senate of the 62nd Legislature, That Lindsey Elliott be commended for her persistence in petitioning the Senate to hire girl pages, and that she be designated as a Page of the Senate for the 62nd Legislature; and, be it further

Resolved, That a copy of this Resolution be delivered to Lindsey as a token of our esteem and that a copy also be sent to her parents, Mr. and Mrs. Frank Elliott.

HIGHTOWER HERRING

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Beckworth, Bernal, Blanchard, Bridges, Brooks, Christie, Connally, Creighton, Grover, Hall, Harrington, Harris, Jordan, Kennard, Kothmann, Mauzy, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Watson and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Hightower the resolution was adopted.

Reports of Standing Committees

Senator Aikin submitted the following reports for the Committee on Finance:

S. B. No. 522.

S. B. No. 895 (Amended).

Co-Author of Senate Bill 302

On motion of Senator Hightower and by unanimous consent, Senator Kennard will be shown as Co-author of S. B. No. 302.

Senate Bills and Resolution on First Reading

Senator McKool moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit the introduction at this time, the following bills and resolution, the provisions of which were explained:

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

The following bills and resolution were then introduced, read first time and referred to the Committees indicated:

By Senator McKool:

S. B. No. 896, A bill to be entitled "An Act creating the separate office of registrar of voters in certain counties and providing for transfer of voter registration duties and other election duties to the registrar; making provisions in regard to the appointment and tenure of the registrar; his powers and duties, and other matters incidental to the operation and functioning of the registrar's offices; amending the Texas Election Code by adding Section 41b; and declaring an emergency."

To Committee on Privileges and and Elections.

By Senator Hall:

S. B. No. 897, A bill to be entitled "An Act to protect the consumer and encourage the highest standards of construction safety by requiring the

use of safety glazing materials in hazardous locations in residential, commercial or public buildings."

To Committee on Commerce and Industry.

By Senator Hall:

S. B. No. 898, A bill to be entitled "An Act relating to residence restrictions on appointment of members of the board of regents of East Texas State University; amending Section 2, Article 2647h-1, Vernon's Texas Civil Statutes; and declaring an emergency."

To Committee on Education.

By Senator Hall:

S. B. No. 899, A bill to be entitled "An Act relating to the creation of the 199th Judicial District composed of Collin County; amending Subchapter C, Judicial Districts Act of 1969 (Article 199a, Vernon's Texas Civil Statutes); and declaring an emergency."

To Committee on Legislative, Congressional and Judicial Districts.

By Senator Wilson:

S. B. No. 901, A bill to be entitled "An Act providing that no license or registration fee or tax shall ever be imposed on firearms transferred, owned, possessed, or transported for certain purposes; and declaring an emergency."

To Committee on State Affairs.

By Senator Herring:

S. B. No. 902, A bill to be entitled "An Act amending Sections 2, 21, and 23, Chapter 373, Acts of the 57th Legislature, Regular Session, 1961, as amended (Article 4476-5, Vernon's Civil Statutes of Texas), relating to changes in certain definitions and scope of inspectional activities, authorizing the Commissioner to refuse to register or cancel wholesale drug business registrations for violation of the Texas Uniform Narcotic Act and the Texas Dangerous Drug Act, and making the Act more in conformity to federal law; amending Sections 2 and 4, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code), to define drugs bearing a veterinary prescription legend as dangerous drugs and requiring drug manufacturers and drug wholesalers to be registered with the Commissioner of Health; and repealing

Chapter 94, Acts of the 49th Legislature, Regular Session, 1945, as amended (Article 192-1, Vernon's Civil Statutes of Texas); and declaring an emergency."

To Committee on Public Health.

By Senator Aikin:

S. B. No. 903, A bill to be entitled "An Act requiring the Commissioner of Education, under certain conditions, to issue a Texas teacher's certificate upon request to persons holding valid teaching certificates of other states, and declaring an emergency."

To Committee on Education.

By Senator Word:

S. B. No. 904, A bill to be entitled "An Act increasing the maximum permissible maintenance tax rate for school districts; amending Subsection (d), Section 20.04, Texas Education Code; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Word:

S. B. No. 905, A bill to be entitled "An Act relating to an increased maintenance tax in certain school districts; and declaring an emergency."

To Committee on County, District and Urban Affairs.

By Senator Creighton:

S. B. No. 906, A bill to be entitled "An Act relating to reorganizing the 43rd Judicial District and creating the 235th Judicial District; amending Subdivision 43, Article 199, Revised Civil Statutes of Texas, 1925; amending the Judicial Districts Act of 1969, as amended (Article 199a, Vernon's Texas Civil Statutes); amending Chapter 5, Title 41, Revised Civil Statutes of Texas, 1925, as amended; creating the office of district attorney of the 235th Judicial District; diminishing the jurisdiction of the County Court of Parker County; providing for severability; repealing all laws and parts of laws in conflict; and declaring an emergency."

To Committee on Legislative, Congressional and Judicial Districts.

By Senator Christie:

S. B. No. 907, A bill to be entitled "An Act requiring holders of Package Store Permits to disclose their interests in other establishments or legal entities holding Package Store Per-

mits; providing that no person or entity shall hold an interest in more than five (5) package stores; amending Section 17 (2) of Article I, Texas Liquor Control Act, as amended (Article 666-17 (2), Vernon's Texas Penal Code); and declaring an emergency."

To Committee on Jurisprudence.

By Senator Wilson:

S. J. R. No. 52, Proposing an amendment to Article XVII of the Constitution of the State of Texas, to provide that the 63rd Legislature elected in November 1972, act as a constitutional convention to propose a revised Constitution to the voters of Texas, retaining the bill of rights of the present constitution.

To Committee on Constitutional Amendments.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
April 5, 1971.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 58, Requesting the four major public service retirement systems in Texas to prepare an intrastate reciprocal retirement plan that provides for the preservation and continuity of earned retirement benefits and credits of public service employees who transfer between covered political subdivisions or agencies of government within the state.

H. C. R. No. 96, That the Capitol and all buildings in the Capitol complex be modified to conform to the provisions of Article 678g, Vernon's Texas Civil Statutes.

H. C. R. No. 102, In memory of Thomas E. Dewey.

H. B. No. 19, A bill to be entitled "An Act relating to the term of office of supervisors of the Mayfair Park Municipal Utility District; amending Section 3, Chapter 24, Acts of the 56th Legislature, 3rd Called Session, 1959 (Article 8280-244, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 30, A bill to be entitled "An Act relating to a decoration to be awarded to any member of the

military forces of the state, whose performance has been such as to merit recognition for services performed in a superior and clearly outstanding manner; amending Section 7, Article 5789, Revised Civil Statutes of Texas, 1925, as amended, by adding Subsection (d); and declaring an emergency."

H. B. No. 83, A bill to be entitled "An Act relating to marks and brands of livestock in Dimmit County; and declaring an emergency."

H. B. No. 175, A bill to be entitled "An Act relating to the jurisdiction of the County Court of Fannin County and the District Court for the 6th Judicial District over eminent domain proceedings; providing for the transfer of causes, writs, and process; and declaring an emergency."

H. B. No. 190, A bill to be entitled "An Act relating to the employment of a juvenile officer by the juvenile board of Fannin County; amending Chapter 322, Acts of the 54th Legislature, 1955, (Article 5139L, Vernon's Texas Civil Statutes), by adding Section 2A; and declaring an emergency."

H. B. No. 259, A bill to be entitled "An Act relating to the creation, administration, powers, duties, and financing of the Hood County Hospital District of Hood County, Texas, by authority of Section 9, Article IX, Constitution of the State of Texas; and declaring an emergency."

H. B. No. 290, A bill to be entitled "An Act amending the Uniform Wildlife Regulatory Act (Article 978j-1, Vernon's Annotated Penal Code) to repeal the limitation for Colorado County in Section 3, and declaring an emergency."

H. B. No. 368, A bill to be entitled "An Act changing the method of selection of the Fireman's Pension Commissioner; providing for appeal to a district court of any order of the Board of Trustees of the Fireman's Relief and Retirement Fund in certain cities; amending Section 19 and adding Section 18A to Chapter 125, Acts of the 45th Legislature, Regular Session, 1937 (Article 6243e, Vernon's Texas Civil Statutes); and declaring an emergency."

H. B. No. 420, A bill to be entitled "An Act including the water area of Lake Ray Hubbard located within

Rockwall County under the provisions of the Uniform Wildlife Regulatory Act; amending Section 1 of the Uniform Wildlife Regulatory Act, as amended (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 441, A bill to be entitled "An Act validating all governmental acts of the Board of Directors of the Harris County Utility District No. 4 or relating to the District; specifically validating all elections and hearings, all bonds of the District, the deletion and addition of lands to the District, and the boundaries thereof; finding that the boundaries of the District form a closure; finding that all property will be benefited thereby; providing that this Act shall not validate any act or proceeding which is the subject of litigation; finding that the requirements of Article 16, Section 59(d) of the Constitution have been accomplished; providing a severability clause; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 483, A bill to be entitled "An Act relating to the creation, administration, powers and duties, and funding of The Texas Council on Marine-Related Affairs, an advisory body concerned with marine affairs; and declaring an emergency."

H. B. No. 491, A bill to be entitled "An Act relating to terms of office for members of the board of supervisors and the interest on bonds of the Willacy County Drainage District No. 2; amending Section 5 and Subsection (e) of Section 8, Chapter 11, Acts of the 61st Legislature, Regular Session, 1969; declaring findings with relation to notice and delivery; and declaring an emergency."

H. B. No. 492, A bill to be entitled "An Act relating to terms of office for members of the board of supervisors and the interest on bonds of the Willacy County Drainage District No. 1; amending Section 5 and Subsection (c) of Section 8, Chapter 10, Acts of the 61st Legislature, Regular Session, 1969; and declaring an emergency."

H. B. No. 494, A bill to be entitled "An Act relating to annexation of territory by the DeWitt County Drainage District No. 1; and declaring an emergency."

H. B. No. 496, A bill to be entitled "An Act relating to Aransas County Navigation District No. 1; increasing the Board of Navigation and Canal Commissioners from three to five in number; providing for the election of one navigation and canal commissioner from each of the four County Commissioners' Precincts in Aransas County and the election of a fifth navigation and canal commissioner from Aransas County at large at elections to be held the second Saturday in July, 1971, and the second Saturday in July in each odd-numbered year thereafter; requiring elections to be ordered by commission; designating notice required for elections; providing for filling of vacancies on the commission, term of office, compensation and method of removal of commissioners and appeal from order of removal; providing that Section 13, Chapter 5, Acts of the 39th Legislature, Regular Session, 1925, as amended, does not apply to district; amending Chapter 213, Acts of the 51st Legislature, Regular Session, 1949, to add Sections 1-A and 1-B; finding proper notice and delivery; and declaring an emergency."

H. B. No. 524, A bill to be entitled "An Act providing for the creation of the Deaf Smith County Hospital District over all of Deaf Smith County, Texas; providing procedure for annexation of additional territory to said district; providing that the district shall assume any outstanding debt of Deaf Smith County incurred for hospital purposes and any outstanding debt incurred by any city or town within said County for such purpose; prescribing a procedure for an election on the creation of such district and the levy of a tax for its maintenance, support, and payment of indebtedness; providing the powers of the district and its governing body and its procedures in the governing of said district; enacting other provisions incident and related to the subject and purpose; and declaring an emergency."

H. B. No. 555, A bill to be entitled "An Act validating proceedings relating to the creation and establishment of the Guadalupe County Water Control and Improvement District Number One as well as the proceedings relating to the issuance of bonds by the said District; changing the name of the District to West Guadalupe Coun-

ty Utility District and prescribing additional powers for the District and the prescribing of the manner in which said District shall accomplish the purposes for which organized and established; making certain findings; and declaring an emergency."

H. B. No. 586, A bill to be entitled "An Act repealing Section 1, Chapter 574, Acts of the 59th Legislature, Regular Session, 1965, and thereby causing the general law prohibiting hunting deer with dogs to be applicable to Liberty County; and declaring an emergency."

H. B. No. 620, A bill to be entitled "An Act relating to the deer season in Trinity County; prohibiting the taking of spike buck deer in Trinity County; amending Section 13, Chapter 730, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 978j-1, Vernon's Texas Penal Code), by adding a new Subsection (n); and declaring an emergency."

H. B. No. 655, A bill to be entitled "An Act including Concho County under the provisions of the Uniform Wildlife Regulatory Act; amending Section 1 of the Uniform Wildlife Regulatory Act (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 722, A bill to be entitled "An Act relating to approval by the commissioners court in Robertson County of the rules and regulations promulgated by the Parks and Wildlife Commission regarding game and fish; amending Subsection b, Section 13, Chapter 730, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 978j-1, Vernon's Texas Penal Code); and declaring an emergency."

H. B. No. 824, A bill to be entitled "An Act relating to extending the regulatory authority of the Parks and Wildlife Commission over wildlife resources in Kendall County through December 31, 1977; amending Section 17, Chapter 522, Acts of the 60th Legislature, Regular Session, 1967; and declaring an emergency."

H. B. No. 955, A bill to be entitled "An Act relating to the membership of the board of directors of the Texas Turnpike Authority and the requirement of an annual report; amending Sections 3 and 21, Chapter 410, Acts

of the 53rd Legislature, Regular Session, 1953 (Article 6674v, Vernon's Texas Civil Statutes); providing for severability; and declaring an emergency."

H. B. No. 971, A bill to be entitled "An Act ratifying, confirming, approving and validating the creation of City of Cities Municipal Utility District, the appointment or election of directors, all proceedings and actions had and taken by the board of directors, all bond elections and other elections, the annexation or addition of land to District and the exclusion of land by District, outstanding bonds of District and taxes levied and revenue pledged to same, and all proceedings or actions relating thereto; providing a no-litigation clause; providing a saving clause, and declaring an emergency."

H. B. No. 988, A bill to be entitled "An Act relating to the creation, establishment, administration, powers, duties, maintenance and operation of the Bandera County River Authority of Bandera County, Texas; and declaring an emergency."

H. B. No. 989, A bill to be entitled "An Act relating to the powers and authority of the Upper Guadalupe River Authority; amending Section 16, Chapter 5, page 1062, Special Laws, Acts of the 46th Legislature, Regular Session, 1939, as amended; and declaring an emergency."

S. B. No. 108, A bill to be entitled "An Act changing language in House Bill 2, 61st Legislature, 2nd Called Session, 1969, of Item No. 6 of the appropriation to the Commission on Law Enforcement Officer Standards and Education; effecting a transfer of Six Thousand Dollars (\$6,000) from Item No. 5 as set out in the appropriation to Item No. 6 of the appropriation; and declaring an emergency."

S. B. No. 235, A bill to be entitled "An Act amending statutes relating to home-rule cities, park boards of trustee and parks; etc., and declaring an emergency."

S. B. No. 278, A bill to be entitled "An Act relating to the establishment, maintenance, support, and administration of The University of Texas System Environmental Science Park; providing for severability; and declaring an emergency."

S. C. R. No. 59, Extending congratulations to The University of Texas M. D. Anderson Hospital and Tumor Institute.

S. C. R. No. 31, Designating Sidecoats Grama as the official State grass of Texas.

S. B. No. 318, A bill to be entitled "An Act relating to the authority of the governing body of certain state-supported colleges and universities to close a street or alley running through the campus and declaring an emergency."

S. B. No. 319, A bill to be entitled "An Act authorizing the Board of Regents of The University of Texas System and the governing boards of other health-related state-supported institutions and certain non-profit health-related institutions located in certain medical centers to form an association to operate a laundry system on a cooperative basis solely for the benefit of such institutions; etc., and declaring an emergency."

S. B. No. 373, A bill to be entitled "An Act amending Section 5 of Chapter 304, Acts of the 55th Legislature, Regular Session, 1957 (Section 5, Article 664-3, Vernon's Texas Civil Statutes); authorizing Community Centers for Mental Health and Mental Retardation Services that are receiving State grants-in-aid under the provisions of Article 4 of the Texas Mental Health and Mental Retardation Act to purchase drugs and medicines through the Board of Control; and declaring an emergency."

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

H. B. No. 343.

Message From the Governor

The following message received from the Governor was read and referred to the Committee on Nominations:

Austin, Texas,
April 5, 1971.

To the Senate of the Sixty-Second Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be Branch Pilot for the Ports of Galveston and Texas City: For a four-year term to expire April 5, 1975: Captain Charles R. Gilchrist, of La Marque, Galveston County.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

Co-Author of Senate Bill 583

On motion of Senator Bernal and by unanimous consent, Senator Beckworth will be shown as Co-author of S. B. No. 583.

Message From the Governor

The following message received from the Governor was read and filed with the Secretary of the Senate:

April 5, 1971.

To the Members of the 62nd Legislature, Regular Session:

I am herewith returning to the Senate, Senate Bill No. 333, pursuant to the provisions of Senate Concurrent Resolution No. 68, for the purpose of making certain corrections therein.

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

Senate Concurrent Resolution 70

Senator Hall offered the following resolution:

S. C. R. No. 70, Providing for consideration of Local and Uncontested Bills calendar on any day.

Be it Resolved, by the Senate of the 62nd Legislature, the House of Representatives concurring, That the Rules of each House be suspended in order to permit the consideration of Local and Uncontested Calendars on any day containing House or Senate Bills and House or Senate Resolutions.

The resolution was read.

On motion of Senator Hall and by unanimous consent, the resolution was considered immediately and was adopted.

Bill Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 333 (Again signed).

Senate Bill 908 on First Reading

Senator Jordan moved that Senate Rule 108 and Section 5 of Article III of the State Constitution be suspended to permit her introducing at this time, a bill, the provisions of which she explained.

The motion prevailed by the following vote:

Yeas—30

Aikin	Jordan
Bates	Kennard
Beckworth	Kothmann
Bernal	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Creighton	Schwartz
Grover	Sherman
Hall	Snelson
Harrington	Wallace
Harris	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Connally

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senators Jordan and Hall:

S. B. No. 908, A bill to be entitled "An Act relating to the granting of tuition scholarship to nursing students at certain state-supported institutions of higher education; and declaring an emergency."

To Committee on State Affairs.

Motion in Writing

Senator Hall submitted the following Motion in Writing:

Honorable Ben Barnes
President of the Senate

Dear Mr. President:

Notice is hereby given of the in-

tent to hold a Local and Uncontested Calendar at 1:00 p.m., Tuesday, April 6, 1971.

HALL
Chairman
Local and
Uncontested Calendar

The Motion in Writing was read and adopted.

Report of Interim Committee

Senator Mauzy submitted the following report of the Senate Interim Committee on Automobile Insurance Rates:

Austin, Texas,
March 1971

The Honorable Ben Barnes, Lieutenant Governor
Members of the Texas Senate
62nd Legislature of the State of Texas
Citizens of Texas

Herewith we, your Committee to Study Automobile Insurance Rates, respectfully submit our report pursuant to the provisions of Senate Resolution No. 1047, Acts of the 61st Legislature, 1969. This report is the result of our endeavor to meet the charges set forth in that resolution.

Respectfully submitted,
MAUZY
BRIDGES
HIGHTOWER
RATLIFF

Committee Substitute**Senate Bill 123 on Second Reading**

Senator Word asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 123 for consideration at this time.

There was objection.

Senator Word then moved to suspend the regular order of business and take up C. S. S. B. No. 123 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Brooks
Bates	Christie
Beckworth	Creighton
Blanchard	Hall

Harrington	Schwartz
Harris	Sherman
Herring	Snelson
Hightower	Watson
Moore	Wilson
Ratliff	Word

Nays—10

Bernal	Kothmann
Bridges	Mauzy
Grover	McKool
Jordan	Patman
Kennard	Wallace

Absent—Excused

Connally

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 123, A bill to be entitled "An Act amending Chapter 274, Acts of the 60th Legislature, Regular Session, 1967 by adding thereto a new Article to be identified and codified as Article 5096-1.042, providing a general rule for determination of the rate of interest on real estate loans secured by a lien and authorizing refund of excess charges in the event of premature termination of loans; and declaring an emergency."

The bill was read second time.

Question—Shall C. S. S. B. No. 123 be passed to engrossment?

Memorial Resolutions

S. R. No. 886—By Senator Snelson: Memorial resolution for Mrs. Dorothy Roseta Costello.

S. R. No. 891—By Senator Watson: Memorial resolution for Mrs. Robert Neumann.

S. R. No. 892—By Senator Watson: Memorial resolution for Guy H. Beene, Sr.

S. R. No. 893—By Senator Watson: Memorial resolution for Robert L. Dennis.

S. R. No. 894—By Senator Watson: Memorial resolution for Mrs. Mary Elizabeth Wilks.

S. R. No. 895—By Senator Watson: Memorial resolution for Mrs. Nosie Bell Grabener.

S. R. No. 896—By Senator Watson: Memorial resolution for Mrs. W. F. Sullins.

Welcome and Congratulatory Resolutions

S. R. No. 877—By Senator Hall: Extending welcome to Mr. and Mrs. Max Hardesty and children.

S. R. No. 878—By Senator Brooks: Designating David Milton Knippel as Honorary Page of the Senate of the 62nd Legislature.

S. R. No. 879—By Senators Bernal and Kothmann: Extending welcome to San Antonio College students.

S. R. No. 882—By Senator Creighton: Extending welcome to Roger Davie and Bryan Reeves of Midland.

S. R. No. 883—By Senator Hall: Designating Mark Sechrest as Honorary Page of the Senate.

S. R. No. 884—By Senator Brooks: Extending welcome to Miss Cindy Flowers.

S. R. No. 885—By Senator Brooks: Extending welcome to Miss Debbie Cowan.

S. R. No. 887—By Senator Herring: Extending welcome to Sponsor and Students, Reilly Elementary School.

S. R. No. 888—By Senator Herring: Extending welcome to teachers and students, Fifth Grade, Zavala Elementary.

S. R. No. 889—By Senator Watson: Extending welcome to Elmer Roberts, et al.

S. R. No. 890—By Senator Watson: Extending welcome to teacher and students, Sixth Grade, Moody High School.

S. R. No. 897—By Senator Watson: Extending congratulations to Mrs. Colleen Staton, Program Director, YMCA.

S. R. No. 898—By Senator Watson: Extending congratulations to Colonel Wiley Stem, Jr.

S. R. No. 899—By Senator Watson: Extending welcome to Dr. Haim G. Ginott to Texas.

S. R. No. 900—By Senator Schwartz:
Extending welcome to Galveston College Student Senate.

S. R. No. 901—By Senator Watson:
Extending welcome to Jeff Bearor and Miss Karin Brothers.

S. R. No. 902—By Senator Aikin:
Extending welcome to Miss Vatra Solomon and Miss Nila Solomon.

S. R. No. 903—By Senator Brooks:
Extending welcome to Bill Atessis and Bobby Wuensch.

Adjournment

On motion of Senator Aikin the

Senate at 12:25 o'clock p.m. adjourned
until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

Monday, April 5, 1971

S. C. R. No. 68.

S. B. No. 223.

S. B. No. 333 (Again sent).

In Memory of J. Warren Hitt

Senator Aikin offered the following resolution:

(Senate Concurrent Resolution 71)

Whereas, On January 5, 1970, God in His infinite wisdom called from these earthly labors J. Warren Hitt, who devoted most of his professional life to the improvement of public school education in Texas; and

Whereas, Mr. Hitt died unexpectedly during a staff conference at the Texas Education Agency, in which he had served with distinction as Deputy Commissioner of Education since April 1, 1950, soon after the formation of that Agency as the result of the 1949 Gilmer-Aikin laws; and

Whereas, He held a place of high esteem in the hearts of all who knew and worked with him and admired his personal single-minded dedication to the improvement of public school programs for the children and youth of Texas; and

Whereas, Texans are deeply grieved by the loss of this devoted public servant who earned for himself an honored place in the history of public education in Texas; and

Whereas, Mr. Hitt was born at Stamford, Texas on June 7, 1909, and pursued his own education until he had earned the bachelor's degree from North Texas State College and the master's degree in public administration from Texas Christian University; and

Whereas, He taught in the public schools of Johnson County and the city of Fort Worth, served for eight years with the Federal Works Agency as supervisor of fund allocations to public schools, was on the administrative staff of the Austin public schools, served as research director for the Texas State Teachers Association, and was assistant director of the Foundation School Program Act Division of the State Auditor's Office, before joining the staff of the Texas Education Agency; and

Whereas, In his position as the Commissioner of Education's top assistant in overseeing the far-flung educational operations of TEA for almost 20 years, Mr. Hitt worked closely with other branches of government and education officials at local, county, state, and federal levels; became a highly respected authority on educational finance; and was a confidant of many legislators and highly-placed public officials; and

Whereas, He was a member of the Methodist church who practiced his Christian beliefs in his professional, civic, and family life; and a compassionate leader who worked tirelessly at every task given him and inspired the same high devotion to duty among fellow workers; and

Whereas, The Legislature recognizes and appreciates the splendid contribution to public education made by Mr. Hitt during his 88 years of public service and wishes to pay tribute to his memory; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, That the Legislature express its profound gratitude for the life and contributions of J. Warren Hitt, and extend its deepest sympathy to surviving members of his family: His wife, Mrs. Orna Ellen Hitt of Austin; his son, J. Cahill Hitt of Texarkana; his sister, Mrs. Elizabeth Sellers of Dallas; his brother, Harold H. Hitt of San Antonio; and three grandchildren; and that copies of this Resolution be sent to them as a token of esteem felt for Mr. Hitt; and be it further

Resolved, That a page be set aside in the Senate Journal as a memorial to Mr. Hitt, and that when the Legislature adjourns this day it do so in memory of this distinguished public official whose life and deeds will live long in the minds and hearts of his many friends and loved ones.

AIKIN
MAUZY
BROOKS
HERRING
HALL

Signed—Lieutenant Governor Ben Barnes; Bates, Beckworth, Bernal, Blanchard, Bridges, Christie, Connally, Creighton, Grover, Harrington, Harris, Hightower, Jordan, Kennard, Kothmann, McKool, Moore, Patman, Ratliff, Schwartz, Sherman, Snelson, Wallace, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Aikin the resolution was adopted by a rising vote of the Senate.